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SC Court of Appeals

STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from the Administrative Law Court, Crystal M. Rookard,
Administrative Law Judge (23-ALJ-04-0141-AP).

DARRELL L. GOSS,

Appellant,

v.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS,

Respondent.

Appellate Case No. 2023-001546

MOTION FOR BRIEF
FROM ~~LOWER~~ COURT

NOW COMES Appellant, Darrell L. Goss, pro se, and moves this Honorable Court, pursuant to Rule 209, and 210, SCACR, for an Order directing the lower court to provide Appellant with a filed-copy of his brief for the purpose of perfecting the instant appeal.

Appellant appeals the decision of the Administrative Law Court (ALC) affirming the South Carolina Department of Corrections (SCDC) calculation of his sentence and sentence-related credits. Currently, Appellant's initial brief is due to be filed with the Court on January 18, 2024, which he's in the process of completing now. However, Appellant is unable to fully complete his brief at this time because he does not have a copy of his ALC brief.¹ In accordance with Rule 209 and 210, SCACR, Appellant's ALC brief should be included in the Record of Appeal in this matter. Albeit, to no avail, Appellant requested the ALC to provide him a copy of his brief. See Exhibit A, attached hereto. Without the ALC brief, Appellant is hindered from presenting his legal claims to this Court in a meaningful manner. *Lewis v. Casey*, 518 U.S. 343, 116 S.Ct. 2174 (1996).

WHEREFORE, premises considered, the Court should grant Appellant's motion.

Respectfully Submitted,

Darrell L. Goss

Darrell L. Goss #305517

1.

Due to SCDC Policy, GA-01.03, "Inmate Access to Court", Appellant was prevented from receiving copies of his handwritten brief before filing it with the ALC. *Hendricks v. SCDC*, 385 S.C. 625, 686 S.E.2d 191 (2009).

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

January 8, 2024

EXHIBIT A

STATE OF SOUTH CAROLINA
Administrative Law Court

Crystal M. Rookard
Administrative Law Judge



PHONE: (803) 734-0550
FAX: (803) 734-6400
WEB: WWW.SCALC.NET

Darrell L. Goss, Sr. #305517
Evans Correctional Institution
610 Highway 9 West
Bennettsville. SC 29512

Re: Darrell L. Goss, Sr. #305517 v. South Carolina Department of Corrections
22-ALJ-04-0141-AP

Dear Mr. Goss:

The Court received your letter dated December 21, 2023, requesting a copy of your "Appellant's Brief."

The Court charges \$.50 a page for copies and there are currently a total of 6 pages in your Brief, so the cost to copy those documents with the envelope and postage is \$3.00. Once the Court has received a check for this amount, you will receive a copy of the documents you are requesting in 22-ALJ-04-0141-AP.

Thank you for your attention to this matter.

Sincerely,

S.H

Judicial Law Clerk to Crystal M. Rookard

CC:
Office of General Counsel
South Carolina Department of Corrections
4444 Broad River Road
P.O. Box 21787
Columbia, South Carolina 29221

STATE OF SOUTH CAROLINA
Administrative Law Court
EDGAR A. BROWN BUILDING
1205 PENDLETON STREET, SUITE 224
COLUMBIA, SOUTH CAROLINA 29201

COLUMBIA SC 290

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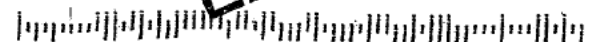
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Darrell L. Goss, Sr. #305517
Evans Correctional Institution
610 Highway 9 West
Bennettsville, SC 29512

JAN 05 A.M.

LEGAL MAIL

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Appellate Case No. 2023-001546

CERTIFICATE OF SERVICE

I do hereby certify that on this 8th day of January, 2024, I served the foregoing MOTION FOR BRIEF FROM LOWER COURT upon Christina Catoe Bigelow, Esquire, at the South Carolina Department of Corrections, Office of General Counsel, 4444 Broad River Rd., Columbia, SC 29221, by depositing the same in the U.S. mail, prepaid postage.

Darrell L. Goss

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SC Court of Appeals

January 8, 2024

The South Carolina Court of Appeals

Attn: Jenny Abbott Kitchings, Clerk

P. O. Box 11629

Columbia, SC 29211

Re: Darrell L. Goss v. SCDC

Appellate Case No. 2023-001546

Dear Clerk :

Enclosed, please find MOTION FOR BRIEF FROM LOWER COURT along with CERTIFICATE OF SERVICE in the above reference matter. Would you please file the motion with the court.

With kind regards, I remain

Sincerely,

Darrell L. Goss

Darrell L. Goss #305517

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

Darrell H. Goff #305517

Evans Correctional Institution

610 Highway 9 West

Bennettsville, SC 29512

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